

### **REMARKS/ARGUMENTS**

Pursuant to the Office Action dated June 17, 2005 (hereinafter "the Office Action") independent claim 1 and all claims dependant therefrom stand rejected under 35 U.S.C. 103(a) as being unpatentable over Martin et al (5,355,302) in view of Richardson (6,054,987) and further in view of Nichols et al (6,138,150). Applicant traverses this rejection.

The Office Action's rejection of independent claim 1 uses Martin as a primary reference, however, as the Office Action correctly notes, Martin does not disclose "wherein the network site is accessible by an operator responsible for the management of at least one audiovisual information reproduction device and comprises a plurality of screens, in which at least one of the 1<sup>st</sup> screen display the list of audiovisual information reproduction devices installed locally and for which usage information is available, the choice of at least one audiovisual information reproduction device being validated causing the display of at least one of the following series of screens:

a 1<sup>st</sup> series of screens that the operator can use to modify the operating parameters of each selected audiovisual information reproduction device;

a 2<sup>nd</sup> series of screens that the operator can use to order at least one song for downloading on the audiovisual information reproduction systems from a chosen list of devices or to delete at least one song;

a 3<sup>rd</sup> series of screens displaying information about the use of an audiovisual information reproduction device."

While the language of claim 1 has been hereby amended, Martin does not teach the amended language either, namely "wherein an operator responsible for the management of at least one audiovisual information reproduction device can access the screens and the screens comprise at least a first screen displaying the list of audiovisual information reproduction devices installed locally and for which usage information is available, the choice of at least one audiovisual information reproduction device being validated causing the display of at least one of the following series of screen:

- a first series of screens that the operator can use to modify the operating parameters, which control the audiovisual information reproduction devices, of each selected audiovisual information reproduction device,
- a second series of screens that the operator can use to order at least one song for downloading to at least one of the selected audiovisual information reproduction devices or to delete at least one song,
- a third series of screens displaying information about the historical use of an audiovisual information reproduction device."

The Office Action uses the GUI of Richardson to fill in for the shortcoming of Martin, stating that "Richardson discloses a plurality of screens with at least one 1<sup>st</sup> screen comprising a popup menu display[ing] a list of data; a 2<sup>nd</sup> series of screens in which the user could perform further actions; and a 3<sup>rd</sup> series of screens displaying information."

Applicant submits that "one 1<sup>st</sup> screen comprising a popup menu displaying a list of data" is not the same as the claimed "first series of screens that the operator can use to modify the operating parameters, which control the audiovisual information reproduction devices, of each selected audiovisual information reproduction device." Applicant has pointed to specific matter which is contained in the claimed 1<sup>st</sup> series of screens, and has not attempted to claim the more general interface that the Office Action states that Richardson discloses.

Applicant further submits that "a 2<sup>nd</sup> series of screens in which the user could perform further actions" is not the same as the claimed "second series of screens that the operator can use to order at least one song for downloading to at least one of the selected audiovisual information reproduction devices or to delete at least one song." Again, the Office Action cites a broad disclosure in Richardson of a generic system whereas the applicant has claimed new, unique, and specific subject matter not disclosed in Richardson to be contained in the series of screens.

Finally, applicant submits that "a 3<sup>rd</sup> series of screens displaying information" is not the same as the claimed "third series of screens displaying information about the historical use of an audiovisual information reproduction device." Again, the Office Action's cited disclosure is broad and generic, while the applicant's claim language is directed at specific, novel subject matter.

Because Martin does not teach a network site remotely accessible by an operator and Richardson does not teach the series of screens claimed by the applicant, no

combination of Martin and Richardson would teach the claimed invention. Additionally, it would not have been obvious to combine Martin and Richardson, because Martin is directed at a system whereby the music selection decisions are made by a machine (Col 6 lns 3-25), not by a user.

Additionally, as the Office Action notes, Martin in view of Richardson does not specifically disclose "wherein the network site is accessible by an operator." To overcome the lack of this limitation, the Office Action cites Nichols, which discloses "a personal computer controlling a central computer." While applicant believes that Nichols did not describe "wherein the network site is accessible by an operator" in the sense that this language was meant in the pending application, applicant has hereby amended the cited claim language to "wherein an operator responsible for the management of at least one audiovisual information reproduction device can access the screens," to better show what applicant meant by "wherein the network site is accessible by an operator."

Nichols does not disclose "an operator responsible for the management of at least one audiovisual information reproduction device" accessing screens, wherein the screens comprise "a first series of screens that the operator can use to modify the operating parameters, which control the audiovisual information reproduction devices, of each selected audiovisual information reproduction device,

- a second series of screens that the operator can use to order at least one song for downloading to at least one of the selected audiovisual information reproduction devices or to delete at least one song,

- a third series of screens displaying information about the historical use of an audiovisual information reproduction device." Nichols is directed at remote control of a Central Processor Complex (CPC) or mainframe computer for maintenance and upkeep. Nichols does not disclose an operator accessing a series of screens whereby instructions are provided to a server to interact with a further remote system. Although Nichols does describe a system capable of remotely controlling multiple computer processors (Col 7 ln 35), Nichols further requires a direct login to each computer to be controlled (Col 7 ln 48-49) "logging onto a server connected to the Internet **and** to a computing device to be controlled." Even if Nichols taught remotely directing a server to interact with a further remote device, the operator doing the directing would have to directly log onto the "computing device to be controlled."

Combining Nichols with Martin and Richardson still not disclose a combination whereby an operator access at least one of a series of screens directed at control over a selected at least one audiovisual information reproduction device. None of the references teach the specific contents of the screens claimed by applicant. Nor do any of the references teach an operator remotely instructing a server to interact with a further remote device.

Applicant submits that a combination of Martin, Richardson and Nichols would produce a system which accesses and modifies remote jukebox information without user instruction, and provides a system administrator remote access, through a series of graphical screens, wherein the system administrator can perform routine maintenance, not

jukebox control, through the remote access. This system would contain neither the claimed series of screens nor the functionality of allowing the system administrator to dictate, through the series of screens, control over the remote audiovisual information reproduction devices.

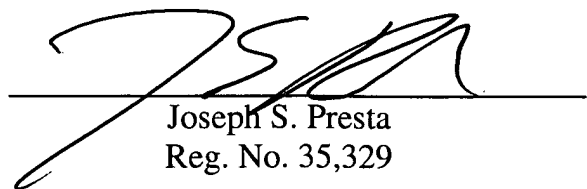
Applicant has hereby amended claim 1, and believes that the rejection for failure to distinctly claim subject matter is thereby overcome. Specifically, applicant believes that the allegedly ambiguous term "network site" has been clarified to show that the operator is accessing at least a screen showing a list of audiovisual information reproduction devices installed locally and for which usage information is available.

Although applicant has not responded to the specific rejections of additional claims, applicant does not acquiesce those rejections. Applicant rather respectfully submits that claim 1 in its presently amended form is allowable over the prior art of record. Claims 2-21 are allowable at least by virtue of their dependency on claim 1. Thus, applicant respectfully requests allowance of all claims.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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